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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 SAMI ALBRA,

Case No. 2:18-cv-00018-APG-PAL

8 Plaintiff,

9 v.

**ORDER**

10 SELENE FINANCE, et al.,

(IFP App. – ECF No. 6)

11 Defendants.

12 This matter is before the court on Plaintiff Sami Albra's Application to Proceed *In Forma*  
13 *Pauperis* (ECF No. 6). This Application is referred to the undersigned pursuant to 28 U.S.C.  
14 § 636(b)(1)(A) and LR IB 1-3 of the Local Rules of Practice.

15 Plaintiff is proceeding in this case *pro se*, which means that he is not represented by an  
16 attorney. *See* LSR 2-1. He commenced this civil action on January 4, 2018, by filing a Complaint  
17 (ECF No. 1) and paying the \$400 filing fee. *See* Receipt of Payment (ECF No. 1-2). The Clerk  
18 of the Court immediately issued summons. *See* ECF Nos. 5, 10. The following day, January 5,  
19 2018, he filed the pending Application to Proceed *In Forma Pauperis* (ECF No. 6). The  
20 application requests authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis* ("IFP"),  
21 meaning without prepaying the filing fees.

22 Pursuant to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$400  
23 filing fee is required to commence a civil action in a federal district court. The court may authorize  
24 a person to start a case without prepaying fees and costs if the person submits an IFP application  
25 on the court's form, which includes an affidavit stating that he or she is unable to pay the initial  
26 fees. *See* 28 U.S.C. § 1915(a)(1); LSR 1-1. However, the court must apply "even-handed care"  
27 to ensure that "federal funds are not squandered to underwrite, at public expense, either frivolous  
28 claims" or the colorable claims of a plaintiff "who is financially able, in whole or in material part,

1 to pull his own oar.” *Temple v. Ellerthorpe*, 586 F. Supp. 848, 850 (D.R.I. 1984) (collecting cases).

2 In addition, pursuant to § 1915(e), federal courts must screen all IFP complaints prior to  
3 issuing summons and requiring a responsive pleading. *Lopez v. Smith*, 203 F.3d 1122, 1129 (9th  
4 Cir. 2000) (en banc) (§ 1915(e) applies to “all in forma pauperis complaints”). If the court  
5 determines that the complaint states a valid claim for relief, it then directs the Clerk of the Court  
6 to issue summons to the defendant(s) and the plaintiff is required to serve the summons and  
7 complaint within 90 days. *See* Fed. R. Civ. P. 4(m).

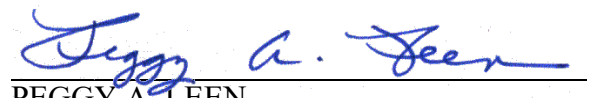
8 Here, Plaintiff paid the full \$400 filing fee upon filing his complaint on January 4, 2018,  
9 but filed an IFP Application the following day. Because he paid the \$400 filing fee, the Clerk of  
10 the Court immediately filed the Complaint (ECF No. 1) on the court’s docket and issued Summons  
11 (ECF Nos. 5, 10). Accordingly, his request to proceed IFP will be denied as moot, and the court  
12 will not screen the Complaint or Amended Complaint (ECF No. 9).

13 Accordingly,

14 **IT IS ORDERED:** Plaintiff Sami Albra’s Application to Proceed *In Forma Pauperis* (ECF  
15 No. 6) is DENIED as moot.

16 **IT IS FURTHER ORDERED:** Pursuant to Rule 4(m) of the Federal Rules of Civil  
17 Procedure, Plaintiff shall have 90 days from January 29, 2018, to serve the defendants with  
18 summons and the amended complaint.

19 Dated this 2nd day of February, 2018.

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21   
22 PEGGY A. LEEN  
23 UNITED STATES MAGISTRATE JUDGE  
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